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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, Plaintiff, v. TUNCAY SAYDAM, Defendant.	Case No. 4:22-cv-07371-DMR **CERTIFICATION OF RICHARD JORGENSEN, REPRESENTATIVE OF H&R BLOCK**

I, Richard Jorgensen, pursuant to 28 U.S.C. § 1746, declare that:

1. I am Lead Product Manager for H&R Block.

2. I have worked at H&R Block since April 21, 2007, and am employed by HRB Professional Resources LLC, the employing entity for H&R Block corporate employees.

3. I started working in the tax software industry in October of 1997. I worked for a family run software business in Kaysville Utah known as TaxWorks. I started as a tax analyst

Certification of Richard Jorgensen
(Case No. 4:22-cv-07371-DMR)

1

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1 and technical support agent. After one tax season, I was promoted to a developer and worked on

2 federal and state business entity return development. As I was working my way through my

3 Bachelor of Arts and Master of Professional Accountancy degrees, I continued developer

4 responsibilities, including design of a fixed asset management system. Once I completed my

5 master's degree in the summer of 2000 (including an Institutional Certificate in Information

6 Systems and Management), TaxWorks moved me back into a tax analyst position with the

7 Federal 1040 software. I passed the Certified Public Account exam and certified in the state of

8 Utah as CPA in 2002. Over the following years, I was moved back to development roles at

9 TaxWorks. In 2007, H&R Block acquired TaxWorks, and I continued working for TaxWorks

10 under H&R Block's management. In December 2009 I was promoted to Product Manager for

11 TaxWorks for the 1040 Federal and States. I served as Product Manager for TaxWorks 1040

12 until TaxWorks was shut down in April/May of 2013. At that time, I became a Product Manager

13 for the BlockWorks software. I have served as Product Manager, Senior Product Manager, and

14 Lead Product Manager primarily focused on the regulatory (tax law) aspects of the software

15 since that time. In January of 2001, at the same time as I was working for TaxWorks, I opened

16 an independent tax practice, known as RTJ Tax. I served a small number of clients

17 (approximately 100 1040 and about 20 non-1040 returns). I continued this separate tax practice,

18 while maintaining my employment for TaxWorks and H&R Block, through April of 2014. In

19 April 2014, I shut down RTJ Tax as a condition of continued employment for H&R Block.

20   4.   My duties as Lead Product Manager for H&R Block include prioritizing which

21 features of BlockWorks to enhance, implementing changes to the BlockWorks software to

22 comply with new tax law and tax forms, and working with the development teams to prioritize

23 and remedy software defects.

24

5.   In my role as Lead Product Manager, I am familiar with the BlockWorks software developed by HRB Digital LLC.

6.   The BlockWorks software is Professional Income Tax Software used in H&R Block offices to complete U.S. Individual 1040 and other income tax returns.

7.   In my role as Lead Product Manager, I am familiar with prior versions of the BlockWorks software, including the versions of the BlockWorks software used by H & R Block tax preparers to prepare taxes for the 2013, 2014, 2015, 2016, and 2017 tax years.

8.   As a Lead Project Manager for H&R Block, I am familiar with the recordkeeping practices of HRB Digital LLC through my duties as a Lead Product Manager at H&R Block.

9.   All versions of the BlockWorks software were made by HRB Digital LLC as part of its regular business activity and have been kept within the course of the regularly conducted activity of HRB Digital LLC.

10.   Each year, new BlockWorks software for the most recent tax year would be developed and circulated to H&R Block tax preparers.

11.   Since the United States Congress changes tax laws regularly and state legislatures do as well, BlockWorks is released annually to make sure that the current year tax law is up to date and allows tax returns to be filed according to IRS and individual state requirements. Each year, as a Lead Project Manager, I work with software developers to deliver enhancements and ensure that tax law changes and form updates are available in H&R Block's offices.

12.   HRB Digital LLC was served with a subpoena in this lawsuit. The subpoena sought copies or screenshots of HRB Digital LLC's BlockWorks software.

13.   To comply with this subpoena, I personally accessed and viewed the BlockWorks software for tax year 2013, 2014, 2015, 2016, and 2017.

Certification of Richard Jorgensen
(Case No. 4:22-cv-07371-DMR)

3

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14.   In order to capture or record copies of the BlockWorks software, I used a software called TechSmith Snagit.

15.   TechSmith Snagit functions to record, or take images of, anything on a computer screen. It can be used to capture a screenshot of a computer screen.

16.   I am familiar with the process used by TechSmith Snagit through my regular use of this process as part of my duties as a Lead Product Manager at H&R Block. I regularly capture screenshots using TechSmith Snagit to highlight areas of the program that need to be changed or enhanced.

17.   The screenshotting or image-capturing process performed by TechSmith Snagit is an electronic process or system that produces an accurate result.

18.   To capture screenshots of the BlockWorks software with TechSmith Snagit, I undertook the following steps:

    a. I used BeyondTrust Remote Support to log into a workstation that the H&R Block Centralized team uses to prepare tax returns for clients.

    b. Once logged on the Workstation, I accessed the BlockWorks software for 2013.

    c. I opened the appropriate data entry screen and then activated the TechSmith Snagit software by pressing the "Print Screen" key on my keyboard.

    d. I selected the screen region that was appropriate for the screen shot using my mouse.

    e. Once the area was selected with the mouse, TechSmith Snagit captured the screen shot.

    f. I then pasted the screenshot into Microsoft Word.

g. I repeated the same process for the BlockWorks software for 2014 through 2017.

19. I certify that I took the screenshots of the BlockWorks software for 2013, 2014, 2015, 2016, and 2017, and pasted the screenshots into a Microsoft Word document (.doc), as shown in Exhibit A to this declaration, using the process described in paragraph 19.

20. I further certify that I took the screenshots of the BlockWorks software for 2013, 2014, 2015, 2016, and 2017 in Exhibit A at or around the time I created Exhibit A, which HRB Digital LLC produced on December 4, 2023, to the United States in the form of the Microsoft Word document (.doc) that I created.

21. I also typed the notes below each of the screenshots in Exhibit A.

22. These notes provide further information as to the questions regarding foreign accounts and trusts prompted by the BlockWorks software for 2013, 2014, 2015, 2016, and 2017.

23. In these notes, "tax pro" refers to "tax professional," i.e. the H & R Block tax preparer completing the Form 1040 return for the client.

24. I certify that the information contained in the notes in Exhibit A is accurate based on my experience having worked with the software as a product manager, tax analyst, and developer for more than 20 years.

25. And I certify that the screenshots of the BlockWorks software for 2013, 2014, 2015, 2016, and 2017 in Exhibit A accurately capture the layout and questions regarding foreign accounts and trusts prompted by the BlockWorks software for IRS Form 1040 for those years.

26. This certification is intended to satisfy Rules 902(11) and 902(13) of the Federal Rules of Evidence.

Certification of Richard Jorgensen
(Case No. 4:22-cv-07371-DMR)

5

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed in _Syracuse Utah_ on the _26_ day of _April_, 2024.

RICHARD JORGENSEN

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